IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 19TH JULY 2007 / 28TH ASHADHA 1929

WP(C).No. 21730 of 2007(J)

PETITIONER:

THOMAS P.OOMMEN,
PRESIDENT, KIZHAKKUMBHAGAM KSHEEROLPADAKA
CO-OPERATIVE SOCIETY NO.PT 119(D), APCOS,
KIZHAKKUMBHAGAM P.O., NIRANAM, THIRUVALLA.

BY ADV. SRI.BABU CHERUKARA
SRI.V.R.ARUN

RESPONDENTS:
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1. MANAGING DIRECTOR,
TRIVANDRUM REGIONAL CO-OPERATIVE MILK PRODUCERS UNION, PATTOM P.O., TRIVANDRUM-4.

2. MR. PRANAVAN,
SUPERVISOR, P & I UNIT, MANNAR T.R.C.M.P.U.,
MANNAR P.O., KUTTIYIL JN., ALLEPPEY.

3. THE DIRECTOR,
DAIRY DEVELOPMENT DEPARTMENT, PATTOM P.O.,
TRIVANDRUM-4.

R1 BY SR. ADV. SHRI B.S. KRISHNAN, SC.
R3 BY GOVERNMENT PLEADER (SMT. ANU SIVARAMAN)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 21730 OF 2007 J

Dated this the 19th July, 2007

JUDGMENT

Case of the petitioner, in brief, is as follows:

Petitioner is the President of a Co-operative Society which is functioning from 1996 onwards. The Society is maintaining Membership Register, Minutes Book, Cash Book, General Ledger, Payment Register and Bonus Register. It is stated that on account of political and consequential grudge against the petitioner's Society, the second respondent has taken away all the records maintained and kept by the Society in December, 2006 and not returned till this date. It is stated that the petitioner had approached respondents 1 and 3. Heard Shri K. Anand, learned counsel appearing for the first respondent Union. According to him, no document as alleged, has been taken away by the first respondent. Therefore, the Writ is apparently based on the case that the Books have been taken away by the second respondent. Second respondent is an employee of the first

respondent. I do not think that the Writ Petition is maintainable. Of course, the petitioner has a prayer that Ext.P3 which is actually addressed to the first respondent may be directed to be disposed of. Petitioner says that a copy of Ext.P3 is given to the third respondent. I do not think that the petitioner is entitled to any relief as such from this Court in this matter, at least at this stage. Leaving it open to the petitioner to pursue any other remedy available including moving the statutory Authority, this Writ Petition is disposed of.

K. M. JOSEPH, JUDGE

kbk.